

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

WILLIS BAIRD,

Plaintiff,

vs.

JAMES BERRY,

Defendant.

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Case No. 14-cv-01065-JPG-DGW

**MEMORANDUM AND ORDER**

This matter comes before the court on the Defendant's Motion (Doc. 26) for Sanctions. The Plaintiff did not file a response. In fact, the Plaintiff has not filed any document with this Court or made any response to defendant's attempt at contact since April of this year. As such, this Court entered a Show Cause Order (Doc. 27) warning Plaintiff to respond to the Show Cause Order on or before December 14, 2015, and that failure to response would result in dismissal of this case with prejudice for want of prosecution.

Federal Rule of Civil Procedure 41(b) provides for involuntary dismissal where a plaintiff fails to prosecute or to comply with a court order. Here, the plaintiff has failed to prosecute by not participating in discovery and has failed to comply with this court's order to show cause.

Therefore, this matter is **DISMISSED** with prejudice. The Clerk of Court to enter judgment accordingly. The Court also notes that there is a pending Motion to Stay Discovery (Doc. 31) which is **DENIED** as moot.

**IT IS SO ORDERED.**

**DATED:** 12/16/2015

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**